

Form order – ntcorder

UNITED STATES BANKRUPTCY COURT

District of New Jersey
MLK Jr Federal Building
50 Walnut Street
Newark, NJ 07102

In Re: Gordon Allen Washington
Debtor

Case No.: 14–14573–TBA
Chapter 13

Gordon Allen Washington
Plaintiff

v.

Specialized Loan Servicing
Defendant

Adv. Proc. No. 14–01319–TBA

Judge: DONALD H. STECKROTH

NOTICE OF JUDGMENT OR ORDER
Pursuant to Fed. R. Bankr. P. 9022

Please be advised that on November 25, 2014, the court entered the following judgment or order on the court's docket in the above-captioned case:

Document Number: 35 – 28

Amended Order Granting Debtor/Plaintiff Summary Judgment, Disallowing Defendant's Secured Claim Pursuant To 11 § U.S.C. 502(b)(1) and Avoiding Lien Pursuant to 11 § U.S.C. 506(a)(1) and (d) (related document:28
Opinion–Summary: Debtor filed a motion for summary judgment in his adversary proceeding ultimately seeking a declaration that the mortgage on the Debtors three–family residence is void and unenforceable because the mortgagee failed to file a foreclosure complaint within 6 years of the accelerated maturity date of the mortgage as required by N.J.S.A. § 2A:50–56.1(a) (the parties having agreed in the course of motion practice that enforcement of the note is time–barred). The Court finds that the statute of limitations under N.J.S.A. § 2A:50–56.1(a) for the mortgagee to enforce the accelerated mortgage has expired; that the mortgagee is time–barred from filing a foreclosure complaint; that the mortgagees claim is disallowed under 11 U.S.C. § 502(b)(1); and that the mortgage lien is void under 11 U.S.C. § 506(d). (related document:7 Motion re: Adversary filed by Plaintiff Gordon Allen Washington, 11 Cross Motion re: Cross–Motion for Partial Summary Judgment (related document:7 Motion re: Adversary filed by Plaintiff Gordon Allen Washington) filed by Defendant Specialized Loan Servicing, Defendant The Bank of New York Mellon, as Trustee for the Certificate–Holders of the CWABS, Inc., Asset–Backed Certificates, Series 2007–5).. Service of notice of the entry of this order pursuant to Rule 9022 was made on the appropriate parties. See BNC Certificate of Notice. Signed on 11/5/2014 (wir)).. Service of notice of the entry of this order pursuant to Rule 9022 was made on the appropriate parties. See BNC Certificate of Notice. Signed on 11/20/2014 (rah)

Parties may review the order by accessing it through PACER or the court's electronic case filing system (CM/ECF). Public terminals for viewing are also available at the courthouse in each vicinage.

Dated: November 25, 2014

JJW: rah

James J. Waldron
Clerk